

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America  
v.

Shane Tyrone GRAY

Case No.

Case: 2:24-mj-30138  
Assigned To : Unassigned  
Assign. Date : 4/11/2024  
Description: COMP USA V. GRAY  
(KB)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 2022 - April 11, 2024 in the county of Lenawee in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. 922(o)

Felon in possession of a machinegun

18 U.S.C. 922(g)(1)

Felon in possession of ammunition

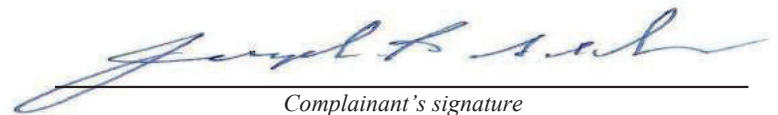
This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: April 11, 2024

City and state: Detroit, Michigan

  
Complainant's signature

Special Agent Joseph Delucio - ATF

Printed name and title



Judge's signature

Honorable Anthony P. Patti, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF  
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Joseph Delucio, special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, being first duly sworn, hereby depose and state as follows:

**I. INTRODUCTION**

1. I am a special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and have been since April 2001. I am a graduate of the Federal Law Enforcement Training Center Criminal Investigator School and ATF's Special Agent Basic Training School. Prior to joining the ATF, I was employed as police officer for a southwest suburb of Chicago. Collectively, I have over 25 years of experience in law enforcement. I also have a bachelor's degree in law enforcement and justice administration. Pursuant to 18 U.S.C. § 3051, I am empowered to enforce criminal laws of the United States.

2. As part of my duties as an ATF special agent, I investigate criminal violations relating to federal firearms offenses. During my career, I have participated in numerous firearms trafficking investigations involving illegal manufacture and sale of handguns and machineguns.

3. This affidavit is in support of a criminal complaint and application for an arrest warrant for Shane Tyrone GRAY for violations of 18 U.S.C. § 922(o) (possession of a machinegun) and 18 U.S.C. § 922(g)(1) (being a felon in possession of ammunition).

4. The statements in this affidavit come from my personal knowledge, my training and experience, my review of police and criminal history reports, and information from other law enforcement officers. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all of my knowledge about this matter.

## **II. PROBABLE CAUSE**

5. Beginning in the fall of 2023, ATF began an investigation of Shane Tyrone GRAY for trafficking in firearms. On October 4, 2023, I obtained a federal search warrant for GRAY's Facebook account.

6. Two videos I found on GRAY's Facebook account depict GRAY possessing machineguns. The first, on February 18, 2022, depicts GRAY holding what appears to an AR-style firearm and a "swift-link" device. A swift-link allows an AR-style firearm to operate as an automatic weapon. In this video, which he sent to another Facebook

user, GRAY explained how his AR-style firearm functions as a machinegun: “[T]he bolt comes and bam when it hits that swift-link bam drops it again that’s it just repeats the cycle.”

7. On March 20, 2022, GRAY sent another video to a different Facebook account. That video depicted GRAY standing near a white recreational vehicle parked near a pond. During the video, GRAY manipulated an AR-style rifle and then fired bullets into the pond with the rifle discharging rounds with the frequency of a machinegun.

8. On October 7, 2022, GRAY’s Facebook account sent another Facebook user (the same conversant from the February 18, 2022, message exchange) a photograph that appears to depict an AR-style rifle. Minutes afterward, the other conversant asked, “How much.” GRAY answered, “with that thing in it\$1000.”

9. After additional investigation, I obtained a search warrant for GRAY’s residence in Adrian, which is in the Eastern District of Michigan, Southern Division.

10. ATF agents executed the search warrant on Thursday, April 11, 2024. GRAY was present at the residence when agents arrived.

11. While executing the search warrant, agents located three rounds of Remington 9-millimeter handgun ammunition and 18 rounds of Remington 7-millimeter rifle ammunition. Agents located the ammunition in the living room, in containers that were approximately five feet from the bed in which GRAY was sleeping.

12. Agents took GRAY into custody and read him his *Miranda* rights, which he waived.

13. During the post-*Miranda* interview, I showed GRAY the videos of him possessing AR-15-style weapons that operated as machineguns. GRAY admitted he possessed these weapons at the Adrian residence around two years ago and that the guns, equipped with the conversion devices, fired automatically, making them machineguns under federal law.

14. I also showed GRAY photographs of the ammunition agents recovered at his residence that same day, and GRAY admitted the ammunition was his.

15. I conferred with ATF interstate nexus expert Mark Davis, who, through his training and experience, examined the ammunition and determined that the rounds' place of manufacturer was outside

Michigan. Therefore, probable cause exists that GRAY's possession of the ammunition was in and affected interstate commerce.


16. On September 1, 2004, a Lowndes County, Miss., state court sentenced GRAY to a term of imprisonment upon his felony conviction for manufacturing methamphetamine. During his post-*Miranda* interview, GRAY said he served eight years in prison for this conviction. Because of the sentence's length, there is probable cause GRAY knew his criminal record included an offense punishable by more than one year in prison.

17. Because of this conviction, GRAY is federally prohibited from possessing ammunition under 18 U.S.C. § 922(g)(1).

### **III. CONCLUSION**

18. Probable cause exists that GRAY knowingly possessed a machinegun, in violation of 18 U.S.C. § 922(o), and that he was a felon in possession of ammunition, in violation of 18 U.S.C. § 922(g)(1).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Joseph Delucio", written over a horizontal line.

Joseph Delucio, Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

A handwritten signature in blue ink, appearing to read "Hon. Anthony P. Patti", written over a horizontal line.

HON. ANTHONY P. PATTI  
United States Magistrate Judge

Date: April 11, 2024